

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARVEL CHARACTERS, INC.,

Plaintiff,

v.

PATRICK S. DITKO, in his capacity as Administrator of the Estate of Stephen J. Ditko,

Defendant.

PATRICK S. DITKO, in his capacity as Administrator of the Estate of Stephen J. Ditko,

Counterclaimant,

v.

MARVEL CHARACTERS, INC. and DOES 1-10, inclusive,

Counterclaim-Defendants.

Civil Action No. 1:21-cv-7957-LAK

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR PLAINTIFF AND COUNTERCLAIM-DEFENDANT MARVEL CHARACTERS, INC. TO RESPOND TO THE COUNTERCLAIM

STIPULATION

WHEREAS, defendant Patrick S. Ditko (“Ditko”) filed and served on plaintiff Marvel Characters, Inc. (“MCI”) an Answer and Counterclaim (“Counterclaim”) in this matter on December 7, 2021;

WHEREAS, MCI’s deadline to respond to the Counterclaim is currently set for December 28, 2021, in the middle of the winter holidays;

WHEREAS, MCI therefore requested an extension of time to respond to the Counterclaim up through and including January 19, 2022, and Ditko agreed to such request; and

WHEREAS, this is MCI’s first request for such an extension;

IT IS HEREBY STIPULATED AND AGREED, by and between MCI and Ditko, through their respective counsel of record, subject to the Court’s approval, that the date for MCI

to respond to the Counterclaim shall be extended up through and including January 19, 2022.

Dated: December 17, 2021

O'MELVENY & MYERS LLP

By: /s/ Daniel M. Petrocelli
Daniel M. Petrocelli

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Attorneys for Marvel Characters, Inc.

Dated: December 17, 2021

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Attorneys for Patrick S. Ditko

SO ORDERED:

Hon. Lewis A. Kaplan
United States District Judge

DATE: _____